REMARKS

Claim 1-2, 5-15, 18-28, and 31-40 were pending. Claims 1, 14, and 27 have been amended. Claims 5, 18, and 31 have been canceled. Claims 41-46 have been added. Accordingly, claims 1-2, 6-15, 19-28, and 32-46 are pending in the application.

In the previous Office Action of June 16, 2005, claims 1, 2, 5-7, 9-15, 18-20, 22-25, 27-28, 31-33, and 35-40 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,477,572 (hereinafter "Elderton"). In the Advisory Action dated September 15, 2005, the Examiner maintained the rejections and stated that

> "[t]he Applicant is arguing in substance that Elderton fails to teach 'representing the second hierarchical tree in said client using said dataset.' ... Elderton teaches that a user can modify a first tree diagram that represents network objects to create a second tree diagram of network objects, on the user device, that meet a rule selected from the attribute list, such as common application programs or common devices, etc. Therefore Elderton meets the scope of the claimed limitation. (See column 6, line 4 – column 7, line 38, Figures 6-8)."

In view of the above comments, Applicant has amended the claims to clarify the nature of the claimed invention. Applicant respectfully submits Elderton does not teach or suggest all of the features of the amended claims. Accordingly, Applicant respectfully traverses these rejections and requests reconsideration. Applicant offers the following comments to further clarify the distinctions between the claimed invention and the cited art.

The presently claimed invention is generally directed to distributed software applications and their processing. In contrast, Elderton is generally directed to providing a visual display of a network topology. While the claimed invention recites a hierarchy, and Elderton makes reference to a network topology, the two are quite dissimilar.

Currently pending claim 1 recites a method in a computer system that includes:

> "generating one or more actors on a server, wherein each actor is a functional component of a distributed application;

linking said actors in a first hierarchical tree;
generating a dataset corresponding to a second hierarchical tree, wherein the second hierarchical tree is a subset of the first hierarchical tree;
sending said dataset to a client;
replicating the second hierarchical tree in said client using said dataset, wherein said replicating comprises generating one or more peer actors on the client, and wherein the peer actors comprise executable code for performing tasks that are in addition to tasks performed by the one or more actors on the server; and
providing a communication link between each peer actor of the replicated second hierarchical tree and a corresponding actor of the second hierarchical tree on the server."

It is first noted from the above recitation that the second hierarchical tree is actually replicated in the client. Accordingly, the second hierarchical tree on the client includes peer actors that are distinct from the actors in the second hierarchical tree on the server. These peer actors comprise executable code. In other words, these peer actors execute tasks as part of the distributed application.

In contrast, Elderton discloses a method for displaying a network topology at any node of the network. Elderton teaches that a server keeps track of every endpoint in a managed region. For example, Elderton teaches that

"The server is the top-level authority over all gateways and endpoints. In particular, the server maintains an endpoint list, which keeps track of every endpoint in a managed region. The list preferably contains all information necessary to uniquely identify and manage each endpoint including, without limitation, such information as name, location, and machine type." (Elderton, col. 5, lines 9-15).

Therefore, Elderton's endpoint list contains sufficient information to construct a hierarchical tree representation of the network topology. Elderton also teaches that

"The present invention also describes a task deployment planning method operative in a distributed computer enterprise environment. The method begins discovering attribute values of a plurality of network objects. These attribute values are then stored in a database. In response to a user selection, the routine then builds and displays a topology map for use in planning the task deployment. The map includes

at least one icon or symbol representing a set of network objects grouped according to a user-selected attribute value." (Elderton, col. 2, lines 40-49).

However, Elderton does not teach or suggest replicating the objects that are represented in the topology map. Rather, Elderton merely discloses viewing a graphical depiction of the topology of the network from any desktop in the network. For example, Elderton teaches:

"Referring now to FIG. 5, a network manager 30 is provided to enable a system administrator to monitor the health of the network through a centralized console 32, launch network applications from various views of the network, respond to alerts and event conditions occurring in the network, and set policy for consistent management across enterprise networks. Preferably, the network manager 30 may be configured and controlled from any desktop in a given management region (MR), e.g., using a Web browser interface." (Elderton, col. 5, lines 48-57.)

Applicant finds no teaching or suggestion in Elderton of "replicating the second hierarchical tree in said client using said dataset, wherein said replicating comprises generating one or more peer actors on the client, and wherein the peer actors comprise executable code for performing tasks that are in addition to tasks performed by the one or more actors on the server." For at least the above reasons, it is believed that the claimed invention is patentably distinct from the cited art.

It is further noted that the method recited in Applicant's amended claim 1 includes "providing a communication link between each peer actor of the replicated second hierarchical tree and a corresponding actor of the second hierarchical tree on the server." Therefore, direct, efficient communication between actors is enabled throughout the hierarchies of the second hierarchical tree and the replicated second hierarchical tree. In contrast, Elderton merely describes communication between nodes in the form of the deployment of a task to a set of target nodes. For example, Elderton recites

"More generally, the inventive technique provides a way to represent a large number of managed resources with a much smaller set of symbols per managed region server. The administrator may then readily select which nodes are to receive the deployment. The administrator then configures a task for deployment. Once the target nodes have been identified, the task is deployed to these machines."

(Elderton col. 7, lines 49-55.)

Since there is no replication of portions of the network that Elderton's topology map represents, there are no peer nodes and there is no teaching of providing communication links between peer nodes of the network. Accordingly, Applicant finds no teaching or suggestion in Elderton of the claimed "providing a communication link between each peer actor of the replicated second hierarchical tree and a corresponding actor of the second hierarchical tree on the server." It is believed this clarification of the quite distinct natures of the claimed invention as compared to Elderton serves to further illustrate that the claimed invention is in fact patentably distinct from the cited art.

Accordingly, all of the claim limitations of amended claim 1 are not taught or suggested by the cited prior art and claim 1 is patentably distinguishable over the cited art. Further, because claims 14, 27, and 40 include similar features to that of claim 1, claims 14, 27, and 40 are patentable over the cited art for similar reasons. In addition to the above, claims 8, 21, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Elderton in view of U.S. Patent No. 5,369,707 ("Follendore"). In view of the above discussion, Applicant submits each of the pending claims recite features which are neither taught nor suggested by Elderton or Follendore, either singly or in combination. Accordingly, a prima facie case of obviousness is not established.

In addition to the above, the dependent claims recite features which are neither disclosed nor suggested by the cited art. For example, claim 41 recites the additional features "wherein a combination of the executable code of the member actors and executable code of the source actors is directed toward achieving a common goal." In addition, claim 42 recites the additional features "wherein the common goal comprises rendering a scene." These features are not found in the cited art.

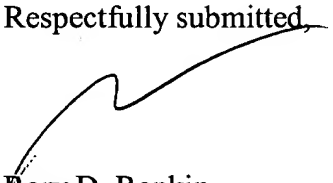
Applicant believes all pending claims are in condition for allowance. Should the examiner believe there are issues remaining which would prevent allowance of the present application, the below signed representative requests the examiner telephone the representative at (512) 853-8866 in order to facilitate a speedy resolution.

CONCLUSION

In light of the foregoing remarks, the Applicant submits that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\6000-05100\RDR

Respectfully submitted,



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